

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

SARACEN LLC, *et al.*,

Plaintiffs,

VS.

SYLVAIN ROSS, *et al.*,

Defendants.

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CIVIL ACTION NO. H-18-3714

JURY QUESTIONS

Jury Questions

Question No. 1

Has Saracen proven, by a preponderance of the evidence, that any of the following methods and processes for the congestion analysis of electric power grids incorporated into the VisualNode 2016 software program as of March 2016, alone or in combination, were its trade secrets?

Answer “Yes” or “No” as to each item:

- A. The process of gathering historical power-grid data and congestion information relevant to power-flow calculations—before 2017, when that information was no longer removed from public view after a period—to make the data accessible to the VisualNode 2016 software program.

Answer: NO

- B. The process of linking the historical data on power flow, generation, and demand, from a time-series of cases, primarily from the Midcontinent Independent System Operator (MISO) grid.

Answer: NO

- C. The method of calculating power flow on an electric power grid, primarily the grid operated by MISO, using phase angle.

Answer: NO

- D. The method of identifying the primary direction of the power flow, and “orienting” the power flow data to display the primary direction, using an algorithm based on bus names for the calculation and display.

Answer: NO

- E. The method of computing shift factors by inverting a matrix to quantify the degree to which a specific element or change in power-grid flow historically contributed to congestion in that grid.

Answer: No

- F. The method of visually presenting, on dynamically connected maps, charts, and tables, the information connecting power-grid elements to congestion using a combination of historical power information time-series, shift factors, and the resulting constraints.

Answer: No

If you answered “Yes” to any item in Question No. 1, then answer Question No. 2 as to that item.

Question No. 2

Has Saracen proven, by a preponderance of the evidence, that Mr. Ross and Marginal Unit misappropriated any trade secrets, if any you have found?

Answer “Yes” or “No” as to each item:

A. The process of gathering historical power-grid data and congestion information relevant to power-flow calculations—before 2017, when that information was no longer removed from public view after a period—to make the data accessible to the VisualNode 2016 software program.

Answer: _____

B. The process of linking the historical data on power flow, generation, and demand, from a time-series of cases, primarily from the Midcontinent Independent System Operator (MISO) grid.

Answer: _____

C. The method of calculating power flow on an electric power grid, primarily the grid operated by MISO, using phase angle.

Answer: _____

D. The method of identifying the primary direction of the power flow, and “orienting” the power flow data to display the primary direction, using an algorithm based on bus names for the calculation and display.

Answer: _____

- E. The method of computing shift factors by inverting a matrix to quantify the degree to which a specific element or change in power-grid flow historically contributed to congestion in that grid.

Answer: _____

- F. The method of visually presenting, on dynamically connected maps, charts, and tables, the information connecting power-grid elements to congestion using a combination of historical power information time-series, shift factors, and the resulting constraints.

Answer: _____

If you answered “Yes” as to any item in Question No. 2, then answer Question No. 3 as to that item.

Question No. 3

Has Saracen proven, by clear and convincing evidence, that Mr. Ross and Marginal Unit’s misappropriation, if any you have found, was willful and malicious?

Answer “Yes” or “No” as to each item:

A. The process of gathering historical power-grid data and congestion information relevant to power-flow calculations—before 2017, when that information was no longer removed from public view after a period—to make the data accessible to the VisualNode 2016 software program.

Answer: _____

B. The process of linking the historical data on power flow, generation, and demand, from a time-series of cases, primarily from the Midcontinent Independent System Operator (MISO) grid.

Answer: _____

C. The method of calculating power flow on an electric power grid, primarily the grid operated by MISO, using phase angle.

Answer: _____

D. The method of identifying the primary direction of the power flow, and “orienting” the power flow data to display the primary direction, using an algorithm based on bus names for the calculation and display.

Answer: _____

- E. The method of computing shift factors by inverting a matrix to quantify the degree to which a specific element or change in power-grid flow historically contributed to congestion in that grid.

Answer: _____

- F. The method of visually presenting, on dynamically connected maps, charts, and tables, the information connecting power-grid elements to congestion using a combination of historical power information time-series, shift factors, and the resulting constraints.

Answer: _____

Question No. 4

Has Saracen proven, by a preponderance of the evidence, that Mr. Ross breached the Saracen Confidential Information and Intellectual Property Policy that he agreed to follow?

Answer "Yes" or "No."

Answer: Yes

If you answered "Yes" to Question No. 4, then answer Question No. 5A.

Question No. 5A

What amount of money, if any, if paid now in cash, would fairly compensate Saracen for the damages caused by Mr. Ross's breach of the Saracen Confidential Information and Intellectual Property Policy, if any you have found?

Answer in dollars and cents, if any.

Answer: \$ 408,000.00

If you answered “Yes” to any item in Question No. 2, then answer Question No. 5B.

Question No. 5B

What amount of money, if any, if paid now in cash, would fairly compensate Saracen for the damages caused by Mr. Ross and Marginal Unit’s misappropriation of Saracen’s trade secrets, if any you have found?

Answer in dollars and cents, if any.

Answer: \$ _____

If you answered “Yes” to any item in Questions Nos. 2 and 3, then you must answer Question No. 5C.

Question No. 5C

Has Saracen proven, by clear and convincing evidence, an amount of exemplary damages, not more than two times the amount of the compensatory damages for trade-secret misappropriation, that should be awarded for willful and malicious misappropriation of Saracen’s trade secrets, if any you have found?

Answer in dollars and cents, if any.

Answer as to Sylvain Ross: \$ _____

Answer as to Marginal Unit: \$ _____